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Review of the international drug control regime: strengthening United Nations machinery for drug control

Note by the Secretary-General

Pursuant to Economic and Social Council resolution 1997/37 of 21 July 1997, the Secretary-General has the honour to submit to the General Assembly at its twentieth special session the attached report of the expert group convened to review the United Nations International Drug Control Programme and to strengthen the United Nations machinery for international drug control.

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Annex

Report of the expert group convened to review the United Nations International Drug Control Programme and to strengthen the United Nations machinery for international drug control

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I. Introduction

1. The expert group convened by the Secretary-General pursuant to Economic and Social Council resolution 1997/37 of 21 July 1997, entitled "Review of the United Nations International Drug Control Programme: strengthening the United Nations machinery for international drug control within the scope of the existing international drug control treaties and in accordance with the basic principles of the Charter of the United Nations", held its first meeting at Vienna from 22 to 24 April 1998. The list of experts is contained in the appendix to the present report. The meeting was opened by the Executive Director of the United Nations International Drug Control Programme, on behalf of the Secretary-General. Mr. N.K. Singh, the Revenue Secretary of India, was unanimously elected as Chairperson.

2. The expert group discussed the methodology and organization of its work for fulfilling its mandate in the time-frame foreseen by the Economic and Social Council in resolution 1997/37. In that resolution the Council had requested the Secretary-General to prepare a progress report on the issues identified by the expert group, to be submitted to the General Assembly at its special session in June 1998. The Council also requested the Secretary-General to prepare a final report based on the work of the expert group, taking into account the views expressed during the special session of the General Assembly, on how to strengthen the United Nations machinery for international drug control, to be submitted to the Commission on Narcotic Drugs at its forty-second session in 1999.

3. The expert group decided to hold its second meeting from 29 June to 3 July 1998 at Vienna and its final meeting in November 1998 in New York.

4. The expert group generally felt that the key issues which would need to be examined in line with its mandate and which would serve as a framework for its final report may, *inter alia*, include:

(a) The contemporary drug situation;

(b) The international institutional framework;

(c) Financing arrangements;

(d) Enabling legal framework;

(e) The path ahead.

5. Regarding the issue of an enabling legal framework, the expert group considered that its approach in addressing this matter would be guided by the outcome of the special session of the General Assembly.

II. The contemporary drug situation

6. After considering the documents presented by the United Nations International Drug Control Programme, the group felt that an overview of the contemporary drug situation was essential for an in-depth evaluation of the efficacy of the international arrangements for drug control. An assessment of anticipated future trends was also necessary to evaluate not only the success of the efforts of the United Nations agencies, in particular the United Nations International Drug Control Programme, but also the ability of the agencies to respond adequately to the new challenges and emerging trends. Accordingly, the Group invited the United Nations International Drug Control Programme to prepare a background document indicating the major trends in relation to production patterns, changes in production centres, patterns in drug abuse and new methodologies employed in illicit drug traffic.

7. The group decided to invite the International Narcotics Control Board, at its meeting in June 1998, to make a presentation of its work in controlling the licit trade in narcotic drugs and psychotropic substances, in particular on issues connected with the diversion from licit trade and the need to strengthen enforcement mechanisms.

8. While the expert group would be giving further consideration to the contemporary drug situation in its subsequent meetings, it broadly concluded that:

(a) Overall global production of illicit drugs (opiates, in particular heroin, cocaine and cannabis) had either increased over the past decade or in some cases stabilized at high levels;

(b) The total number of drug abusers had increased significantly while the pattern of drug abuse was undergoing noticeable changes;

(c) The emergence of new trends, particularly the illicit manufacture, trafficking and abuse of amphetamine-type stimulants, constituted new and serious challenges, which needed to be addressed quickly;

(d) New technologies, the use of electronic means to effect financial transfers, the phenomenon of drug trafficking organizations operating like multinational firms exploiting the benefits of globalization and the increased integration of markets were having an adverse impact on efforts to control illicit drugs;

(e) Changing societal perceptions of the drug problem, particularly in some parts of Western Europe, a reaction to the perceived inadequacy of law enforcement

efforts and a higher tolerance for drug abuse have severely undermined national and international efforts.

III. The international institutional framework

9. The legislative and other bodies with which the United Nations International Drug Control Programme interacts in the discharge of its mandate included: the Commission on Narcotic Drugs, the International Narcotics Control Board, the Economic and Social Council, the General Assembly (Third Committee), the Advisory Committee on Administrative and Budgetary Questions (ACABQ), the informal donors meetings and relevant agencies and programmes of the United Nations system.

10. The broad functions of these bodies include the following:

(a) The Commission on Narcotic Drugs has (i) treaty functions: scheduling, considering report of the International Narcotics Control Board and the World Health Organization; (ii) charter functions: serves as a functional commission of the Economic and Social Council and acts as the leading policy-making organ of the United Nations on drug control; and (iii) governance functions: acts as the governing body of the United Nations International Drug Control Programme providing policy guidelines and directives: approves the budget of the Fund of the Drug Control Programme;

(b) The International Narcotics Control Board monitors the implementation of the drug control treaties; the United Nations International Drug Control Programme serves as its secretariat;

(c) The Economic and Social Council adopts the report of the International Narcotics Control Board and the Commission on Narcotic Drugs and considers any other matter brought to its attention. As it does not have the requisite expertise, and the drug issue is only one of a plethora of economic and social questions it has to consider during its annual meetings, the role of the Economic and Social Council has essentially been a passive one;

(d) The General Assembly (Third Committee) plays a more substantive role in considering the drug issue, giving mandates to the United Nations International Drug Control Programme through an annual omnibus resolution on drug control;

(e) The Advisory Committee on Administrative and Budgetary Questions provides guidance on administrative and budgetary matters;

(f) Inter-action with the donor community: the informal donors meetings, in which the United Nations International Drug Control Programme participates and to which, in several cases, the Programme provides substantive support regarding the operational aspects of drug control;

(g) Inter-agency coordination and cooperation: the Administrative Committee on Coordination (ACC) has been used as a forum to further system-wide coordination in the field of drug control. The United Nations System-wide Action Plan on Drug Abuse Control has not, however, yielded the expected results. The trend is for most of the agencies of the United Nations system, rather than including drug control components in their own programmes, to consider the United Nations International Drug Control Programme as a source of funding for drug control activities which they carry out. Currently 40 per cent of allocations from the Fund of the United Nations International Drug Control Programme are provided to agencies of the United Nations system for drug control activities.

11. The expert group considered that, over the years, the focus of the Commission's work had become less technical and more political. Delegations often come unprepared to participate in substantive discussions. The large membership of 53, the format of its discussions and its working procedures were thought to be among those factors impinging on the Commission's ability to provide the requisite guidance and policy directions to the United Nations International Drug Control Programme. In particular, the procedure of delivering general statements takes up much of the Commission's time, leaving only limited time for deliberations on essential issues and for policy formulation that would impact on and catalyse international drug control efforts. The Commission is aware of its limitations and has been considering how to fulfil its mandate.

12. With regard to the Commission, three points of view were expressed. The first point of view was, by and large, to leave the Commission to function as it does at present and to concentrate on strengthening the United Nations International Drug Control Programme, giving it greater operational autonomy. A second point of view was to reform the Commission by bringing about basic structural changes. A third view was to harmonize the two approaches by examining various options, which included the establishment of a steering committee of the Commission to focus on programmes and budgetary matters, strengthening the bureau of the Commission to act during the inter-sessional period and creating a new tier between the Commission and the Drug Control Programme for imparting greater policy thrust. These views will be further examined by the expert group.

13. The expert group felt that an in-depth review of the functioning of the Commission and other legislative bodies dealing with drug control and measures to strengthen the machinery of the United Nations system was an integral part of the expert group's mandate and that it would not be appropriate to prematurely arrive at conclusions without a fuller consideration of the many complex interconnected issues.

14. The expert group felt that issues concerning inter-agency coordination, improved governance, policy initiatives for strengthening efforts in the area of drug control and the functioning of the United Nations International Drug Control Programme required in-depth consideration.

15. The expert group unanimously agreed that the United Nations International Drug Control Programme needed to be strengthened. Its effectiveness should be enhanced by a combination of institutional changes and improvements in its funding arrangements to enable the Programme to fully address its mandate and responsibilities. The expert group agreed to study, at a subsequent meeting, the mandate of the Programme, particularly in the light of the new responsibilities that will be given to the Programme as a result of the changing drug situation, responsibilities which go beyond the framework set out in General Assembly resolution 45/179 of 21 December 1990 by which the General Assembly established the Programme, and also in the light of the outcome of the twentieth special session of the General Assembly.

16. The expert group invited the United Nations International Drug Control Programme to prepare a paper outlining the salient issues related to the international institutional framework for drug control for its next meeting in June 1998.

IV. Financing arrangements

17. Based on documents made available to the expert group and the presentation of the Executive Director of the United Nations International Drug Control Programme, the group made the following observations:

(a) The United Nations International Drug Control Programme was being underfunded. Its infrastructure was presently not being utilized at an optimum level owing to the lack of funding, particularly for operational activities at the field level;

(b) The Programme was not able to fulfil its mandate, including that attributed to it at the time of its establishment, as a result of serious deficiencies in funding arrangements, which impaired the efficacy and quality of its programmes;

(c) Serious constraints emanating from a lack of predictability in the financing arrangements have made long-term planning difficult;

(d) About 10 per cent of the funds available to the Programme came from the regular budget of the United Nations and another 20 per cent from general purpose funds through voluntary contributions. Earmarked funds constituted over 70 per cent of its budgetary resources. This arrangement has seriously impaired the flexibility of the Programme to plan and undertake its programmes in a manner best designed to meet its objectives;

(e) Since its establishment, the Drug Control Programme has been increasingly caught in a low-level equilibrium trap, marked by declining funding levels, with adverse impact on the quality of its programmes;

(f) There is a clear need to significantly improve inter-agency funding arrangements which could augment overall resource availability and bring about greater adaptability and flexibility for enhancing the quality of the programmes of the Drug Control Programme.

18. The expert group considered that the United Nations International Drug Control Programme should examine innovative means of financing which would include:

(a) Greater inter-agency coordination and cooperation, by persuading other agencies to undertake projects that constitute a high priority for the Programme or require a joint implementation mechanism;

(b) Participation of international financial institutions, in particular the World Bank, in drug issues;

(c) Fostering closer partnership with corporate institutions. The recent case of an endowment from the Turner Foundation should be encouraged and further efforts made to replicate this success with other corporate institutions;

(d) Identifying and fostering closer partnership with corporate institutions;

(e) Seeking, through intervention by the Executive Director and influential Member States, credible arrangements with the World Bank by persuading it to accord a higher priority to drug issues in its lending programme and to take up collaborative projects with the United Nations International Drug Control Programme, by fostering greater partnership between the World Bank, other

regional development banks and the Programme to enhance financial support for drug control.

19. The expert group felt that issues of financing and improved institutional arrangements were at the core of international efforts to effectively deal with the new and growing challenges of the drug menace. The expert group invited the United Nations International Drug Control Programme to prepare a document for consideration at its meeting in June, which would include:

(a) An evaluation of the efficacy of the Programme's existing portfolio of technical assistance projects, with an indication of the conclusions emanating from earlier evaluation reports;

(b) A list of programmes and activities which were either partially implemented or fully aborted owing to a lack of resources and which would be undertaken with a funding increase of 50 per cent;

(c) Analysis of the structural weaknesses in budgeting and funding of programmes required for the efficient discharge of the mandate of the Drug Control Programme;

(d) An assessment of new funding arrangements and requirements arising from the adoption of new programmes recently undertaken by the Programme or likely to arise from the outcome of the 20th special session of the General Assembly.

20. The expert group also felt that:

(a) Drug and drug-related activities should be accorded a higher priority by Governments;

(b) Resources provided to the United Nations International Drug Control Programme should be increased, with the assurance of greater predictability, flexibility and enhanced portfolio quality;

(c) The regular budget of the United Nations allocated to drug control currently accounting for about 10 per cent of the total budget of the United Nations International Drug Control Programme should be significantly increased. This matter will be brought to the attention of the General Assembly at its twentieth special session for consideration at the time of the preparation of the next biennium budget, in the event that it is not feasible earlier;

(d) The donor base should be widened.

Appendix

Members of the expert group

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